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(10)

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOHN DWYER,	:	CIVIL ACTION
Petitioner,	:	
	:	
v.	:	NO. 07-4996
	:	
ROBERT SHANNON, et al.,	:	
Respondents.	:	

ORDER

AND NOW, this *22nd* day of *Aug.*, 2008, upon careful and independent consideration of the Petition for Writ of Habeas Corpus, the Response thereto, and after review of the Report and Recommendation ("R&R") of United States Magistrate Judge Henry S. Perkin dated July 30, 2008, IT IS HEREBY ORDERED that:

1. the R&R is APPROVED and ADOPTED;
2. the Petition for Writ of Habeas Corpus is DENIED with prejudice and DISMISSED without an evidentiary hearing; and
3. there is no probable cause to issue a certificate of appealability.

BY THE COURT:

Robert F. Kelly
ROBERT F. KELLY, J.